

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

Docket No.: 2:21cr00367-001

VS.

BILL OMAR CARRASQUILLO

**SENTENCING MEMORANDUM**

**I. BACKGROUND**

**A. PERSONAL AND FAMILIAL HISTORY**

As noted in the presentence report, BILL OMAR CARRASQUILLO, hereinafter referred to as “Omar”, was born and raised mostly in Philadelphia, PA. He was one of thirty eight (38) children. At a young age Omar was exposed to a traumatizing existence. As outlined in the presentence report, Omar did not have stable care or supervision and was often used as a commodity by the people responsible for his care. Those situations include his caregiver having him intentionally committed to mental health facilities for the purpose of obtaining prescriptions for narcotics which his caregiver would sell. He was abused both physically and sexually by family members and when he attempted to come forward he was called a liar and became an outcast of the family. Omar was essentially bred to be a menace to society with no purpose or value but to his credit and as you will see, he defied the odds.

The most consistent figure in his life was his father who spent a significant time in prison but would seek custody when he was not serving time. His mother was an immigrant who was deported for committing various crimes and died as the result of drug addiction. Omar describes his dad as a good father because he did not abuse him and let him do whatever he wanted, which shows the Court the standard of care Omar was accustomed to. Omar’s father taught him how to sell narcotics when he was twelve (12) years old. This is the only skillset his father was equipped to pass along to him. This was the life Omar was destined to lead. Naturally, as a juvenile and young adult, Omar did not understand what it meant to be an upstanding citizen and followed that course. He only made it to the 11<sup>th</sup> grade in Edison high school before dropping out because of the lack of supervision and support. He was arrested multiple times as a juvenile and has two (2) adult

convictions for petty drug offenses. (the first when he was eighteen (18) and the second when he was twenty-four (24)). As unnatural as this sounds, he was exposed to this conduct and behavior at a young age and frequently enough that he believed the user/provider relationship was natural. He also has two addition convictions, one at the age of twenty-two (22) for failing to follow through on the sale of a car and one for an altercation with his father at the age of twenty-six (26).

That could have been the totality of Omar's story and anyone would have understood how he was not given a fair start to life and justified how with no education, training, guidance, support or caretaker acting as his moral compass he continued down a bad path until he ended up dead, spending the rest of his life in jail, or addicted to drugs. Omar battles constant battles of depression because he questions his own self-worth. He could have easily accepted that there is no "better" for him.

HE DID NOT!

## B. THE INSTANT OFFENSE

Omar decided he would be better than anyone thought he could be. He turned away from anything he believed was criminal and refused to follow in the footsteps of his parents. With no formal education or training he challenged himself to carve out a space where he could excel legally. He began to look for opportunities that did not require formal training or a high school diploma. He found passion and love in the business of marketing and internet sales. As stated above, Omar deals with depression and took comfort in being able to use the internet to connect with others instead of face to face interaction. That led to him YouTube becoming a safe haven. Omar would and still spends most of his day on the computer trying to understand what brings people together. During his search of how he could monetize the internet and make legal money to provide for himself and his family, his research led him to a new phenomenon of set top boxes. At the time these were legal devices sold on Amazon that would come prepacked with old television series and game shows. Omar decided to buy these items and create a place for people to see the product and purchase from him secondhand after he convinced them of their usefulness. Ultimately this led to

Omar gaining an audience of people who followed him online for what was becoming an expertise in technological offerings. As time progressed, Omar looked to expand the growing legal business and developed a business plan to create his own legal boxes instead of relying on what turned out to be an inconsistent and unreliable Amazon. At this point he reached out to developers to see how it could be done. His plan was to enhance a product used widely in the public and make it more attractive to his audience. He simply saw an opportunity in a legal area and used his common sense and self-taught advertising skills to make money. He was successful.

Omar's audience and followings grew and he began to take care of his family and many others in a way he longed to be taken care of as a child. He made it his mission in life to be a better father to his kids than he had. He made it his mission in life to be able to hand down to his children something different than how to sell drugs. Omar should not be judged because his business model was successful. It was legal until he crossed the line into having some recordings on his platform. Omar knows he went too far with his product in his effort to stay competitive and he broke the law. Once he added copyrighted works, it became felony criminal activity. He acknowledges this should not have happened. In no way is he standing before the Court, after accepting responsibility, attempting to convince the Court that his actions should be excused. The instant offense is one Omar is not looking to justify.

#### OMAR ACCEPTS RESPONSIBILITY FOR HIS ACTIONS.

It should be noted that prior to and during the instant offense, Omar also developed other businesses including a YouTube channel, a construction company and other projects which lead to significant legal compensation. It was his wish to operate within the law for the rest of his life. I would remind the court of Omar's lack of any formal training or schooling beyond the 11<sup>th</sup> grade. It is important to understand why he operated the way he did. Omar made substantial money in a short period of time and did not have any understanding of what came with that. He never had to deal with taxes or balance financial books in his life. He was poor. While some would know to seek an accountant or to bring in a business manager, Omar truly freestyled every aspect of his business, simply trying to be someone his dependents could rely on. He made numerous mistakes.

Some intentional and some unintentional. Again, we are simply detailing this so the Court understands how these events unfolded and why he is standing before the Court today.

It also should be noted that Omar has since developed another legal business of merchandising which allowed him to keep and bring back his employees so they could continue to feed their families. After the indictment Omar was depressed not only because of the impact to his life but also because he knew he hired people who would otherwise not be able to find adequate employment because of their lack to education and training. These people from his community had nowhere else to turn so he again challenged himself to be someone who could continue to create opportunities for them. I can't state enough how proud I am of Omar for not giving up on himself and simply saying "no one thought I could amount to anything anyway. It would have been so easy for him to do that. It should also be noted that without Omar, who is the face and merchandising expert, those businesses are likely to fail and those people will likely be forced back into a life of seeking minimum wage jobs based on their histories.

It should also be noted that when Omar began to make significant money, He was approached by numerous people asking him to participant in illegal activity such as money laundering the sale of narcotics. He was told to use his cash to purchase large amounts of narcotics which would have led to substantial profits. Remember, that was the life Omar was groomed for. He could have easily said yes and participated either directly or by simply providing money so those things could happen. HE REFUSED.

There are no additional charges or allegations of Omar taking a single step back into that life of crime or doing anything harmful to society.

He's a car fanatic. He purchased cars and spent his time in the house entertaining his YouTube followers. He was showing his children they could be whatever they wanted to be. He was working to break the generational curse that plagued his family.

**II. BILL OMAR CARRASQUILLO'S REQUEST FOR  
SENTENCING PURSUANT TO 18§3353**

Omar is not asking for a pass. He knows his actions were criminal. Protected works should not be copied. Period. He crossed the line and he knew he should not have. As a result we have come to an agreement with the U.S. Attorney's office. That agreement was discussed with the court and is spelled out below-

**Offense level-**

Base offense level of 8

An additional +22 points for an agreed upon infringement amount of thirty (30) million

An additional +2 points for uploading

An additional +1 point for laundering

An additional +2 points for leadership

An additional +2 points for obstruction

A reduction of -3 points for accepting responsibility

In addition, Omar by counsel has submitted a motion for a downward departure based on

U.S.S.G. §5K2.0 for family ties and responsibility. As the court will hear, Omar is a very

active participant in his children's lives and he has been chosen by God to father two children

with autism. There will be significant impact on their development and growth if he is

removed from their lives. While I understand the Government can not and will not stipulate to

a -2 point downward departure, it is our belief it is warranted by the circumstances.

**The total offense level of 32**

## **Criminal History Category-**

Omar's criminal history is explained above. As outlined, it includes a marijuana charge from when he was 18 and other old crimes unrelated to who he is now and this instant offense. As a result of those convictions, Omar is a category III which over represents the seriousness of the defendant's criminal history. The Government filed a motion and agrees there should be a departure pursuant to U.S.S.G. §4A1.3(b).

**The agreed upon departure is to a criminal history category I.**

## **Restitution-**

All parties agree the involved cable companies are entitled to restitution in the amount of ten million, seven hundred sixty-one thousand, five hundred seventy-three dollars and twenty cents (\$10,761,573.20).

All parties also agree the Internal Revenue Service is entitled to restitution in the amount of five million, seven hundred seventeen thousand, nine hundred twelve dollars and two cents (\$5,717,912.02).

## **Forfeiture-**

Omar does not contest forfeiture in the amount of thirty million dollars (\$30,000,000.00)

Omar appreciates the opportunity to accept responsibility and to resolve these issues with the government without the need to waste additional time and resources of the court. He is only seeking a punishment warranted by the crimes he acknowledges he committed. I'm asking that Omar's sentence reflects just that; a justified punishment along with an opportunity for redemption. The guidelines based on the above are 121-151 and does not accurately reflect appropriate punishment for the instant offense.

BILL OMAR CARRASQUILLO, by and through his attorney, Donte Mills ESQ., respectfully request that this Court sentence him pursuant to 18§3533 and Order him to participate in the Federal Bureau of prisons drug and alcohol program.

Respectfully Submitted.

*Donte Mills*

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**CERTIFICATE OF SERVICE**

I, Donte Mills, Esquire, certifies that a copy of the foregoing Sentencing Memorandum was served, via electronic-delivery, to the following:

Matthew Newcomer  
Sara Solow

Date: March 3, 2023

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